

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1823 of 2007()

CRIME NO. 994 OF 2005 OF ALUVA POLICE STATION

.....

PETITIONER/ACCUSED

BINEESH, S/O.NATESAN, KALATHIL VEEDU
WARD NO.8, CHERAI DESOM,
PALLIPPURAM PANCHAYATH,
ERNAKULAM

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA AT ERNAKULAM

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO.1823 of 2007

DATED: 22-3-2007

O R D E R

Petitioner who is the 3rd accused in Crime No. 994 of 2005 of Aluva Police Station for an offence punishable under Sec. 420 read with Sec. 34 I.P.C. was granted bail by the J.F.C.M.-I, Aluva with effect from 28-3-2007.

2. The present application is for advancing his release on bail on the ground that the petitioner's daughter is scheduled to undergo an eye operation on 23-3-2007. This is not a case where the Magistrate has refused bail to the petitioner. The Magistrate granted bail to the petitioner but with effect from 28-3-2007. The operation of the petitioner's daughter cannot be a ground to advance the release of the petitioner on bail. However, on humanitarian ground, I am inclined to permit the petitioner to visit the hospital where the petitioner's daughter is undergoing the surgical operation. Accordingly, the petitioner will be permitted to leave the prison on 23-3-2007 for one day on police escort on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount

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to the satisfaction of the J.F.C.M.-I, Aluva and subject to the following conditions:

1. The petitioner shall report back to the prison in the evening of 23-3-2007 after attending the surgery of his daughter in the Little Flower Hospital, Angamaly.
2. The petitioner shall not commit for any offence while on permission.
3. The petitioner shall not flee from justice while he is on permission.

This application is disposed of as above.

V.RAMKUMAR, JUDGE.

ani.

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